

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 13-020029-JPM
)	
JASON CASTLE,)	
)	
Defendant.)	
)	

**ORDER ADOPTING REPORT AND RECOMMENDATION:
DENYING DEFENDANT'S MOTION TO SUPPRESS**

Before the Court is the Report and Recommendation of Magistrate Judge Tu M. Pham (the "Report and Recommendation"), filed May 17, 2013 (ECF No. 34), recommending that the Court deny Defendant's Motion to Suppress, filed March 25, 2013 (ECF No. 21).¹ No objections to the Report and Recommendation have been filed, and the time for filing objections has expired. (See ECF No. 34 at 16 (citing 28 U.S.C. § 636(b)(1)(C)).)

Pursuant to Federal Rule of Criminal Procedure 59, "[a] district judge may refer to a magistrate judge for recommendation a defendant's . . . motion to suppress evidence." Fed. R. Crim. P. 59(b)(1). "[U]pon proper objection by a party, a district court must review de novo a magistrate judge's ruling on a motion to dismiss." United States v. Quinney, 238 F. App'x 150, 152 (6th Cir. 2007); see also Fed. R. Crim. P. 59(b)(3).

¹ A hearing was held on the Motion to Suppress on May 13, 2013. (ECF No. 30.)

When no timely objection is made to the magistrate judge's ruling, "[t]he district court need not review, under a de novo or any other standard," the report and recommendation. United States v. Woodruff, 830 F. Supp. 2d 390, 395 (W.D. Tenn. 2011); see also Fed. R. Crim. P. 59(b)(2) (stating that failure to timely object "waives a party's right to review"). The Court hereby ADOPTS the Report and Recommendation in its entirety. Accordingly, Defendant's Motion to Suppress is DENIED.

SO ORDERED this 3rd day of June, 2013.

s/ Jon P. McCalla

JON P. McCALLA
CHIEF U.S. DISTRICT JUDGE